UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE OFFICIAL WARNING VIOLATION OF FEDERAL REGULATIONS	CASE NUMBER: TN11099-AC VIOLATOR: City of Chattanooga Chattanooga Zoo at Warner Park ADDRESS (*Street, City, State, ZIP Code*): Chattanooga, TN 37404

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following violation(s) of Federal Regulations:

Date of Violation: On of about January 1, 2011

9 C.F.R. § 2.40(b)(3) Attending Veterinarian and Adequate Veterinary Care

Each exhibitor shall establish and maintain programs of adequate veterinary care that include: Daily observation of all animals to assess their health and well-being; provided, however, that daily observation of animals may be accomplished by someone other than the attending veterinarian; and provided, further, that a mechanism of direct and frequent communication is required so that timely and accurate information on problems of animal health, behavior, and well-being is conveyed to the attending veterinarian.

Zoo officials failed to make daily observations of all animals and assess their health and well-being. At a minimum, Zoo officials did not observe two marmosets on or about January 1, 2011. One marmoset died on January 4, 2011, and the other marmoset died on January 5, 2011. Both marmosets were necropsied and found to be emaciated (with body condition scores of 0 on a scale of 0-5), and diagnosed with hepatic necrosis. Aside from failing to observe these animals on or about January 1, 2011, Zoo officials failed to adequately observe the animals' body condition and communicate with the attending veterinary about issues of animal health and well-being.

Date of Violation: On or about January 1, 2011

9 C.F.R. § 3.82(b) Feeding

Nonhuman primates must be fed at least once each day except as otherwise might be required to provide adequate veterinary care. Infant and juvenile nonhuman primates must be fed as often as necessary in accordance with generally accepted professional and husbandry practices and nutritional standards, based upon the animals' age and condition.

At a minimum, Zoo officials failed to feed two marmosets on or about January 1, 2011. When taken to the infirmary, the animals "gorged" themselves on food.

Date of Violation: January 26, 2011

9 C.F.R. § 3.133 Separation

Animals housed in the same primary enclosure must be compatible. Animals shall not be housed near animals that interfere with their health or cause them discomfort.

Zoo officials housed a male coyote with an aggressive female coyote. The female coyote frequently attacked the male coyote, forcing him to seek refuge within the enclosure.

Date of Violation: May 4, 2011

9 C.F.R. § 3.75 Housing Facilities, general

(a) Structure: construction. Housing facilities for nonhuman primates must be designed and constructed so that they are structurally sound for the species of nonhuman primates housed in them. They must be kept in good repair, and they must protect the animals from injury, contain the animals securely, and restrict other animals from entering.

Zoo officials failed to maintain a nonhuman primate enclosure in good repair. During an inspection, an APHIS official found that screening material separating two incompatible spider monkeys had peeled back, enabling the monkeys to reach through the enclosure and potentially harm each other. The APHIS official also observed a piece of metal wire screening material with several sharp points bowing inward in the monkey enclosure, risking injury to the animal.

Date of Violation: May 4, 2011

9 C.F.R. § 3.125(a) Housing Facilities, general

Structural strength. The facility must be constructed of such material and of such strength as appropriate for the animals involved. The indoor and outdoor housing facilities shall be structurally sound and shall be maintained in good repair to protect the animals from injury and to contain the animals.

Zoo officials failed to construct and maintain the fennec fox enclosure to protect the animal from injury. The wire shelves in the enclosure had plastic flooring that did not match the dimensions of the shelves, leaving a gap. An APHIS official observed that the fennec fox jumped off the shelf and caught its lower back leg in the wire, causing it to cry out.

The Animal and Plant Health Inspection Service (APHIS) created federal regulations to ensure the welfare of animals and help prevent the spread of animal and plant pests and diseases. Since violations of the regulations can have serious and costly impacts that are detrimental to the public interest, APHIS is providing you with an Official Warning for the violation(s) described above. Any further violation of these federal regulations may result in the assessment of a civil penalty, criminal prosecution, or other sanctions. If you have any questions concerning this Official Warning or violation(s), please contact the APHIS official listed in this notice.

APHIS OFFICIAL (*Name*)**:** Robert J. Huttenlocker	**OFFICE ADDRESS:** 4700 River Road, Unit 85 Riverdale, MD 20737	
APHIS OFFICIAL (*Title*)**:** Director, Investigative and Enforcement Services	**DATE ISSUED:** 3/29/2013	**TELEPHONE NUMBER:** (301) 851-2948